
By: **Senator Klausmeier**

Introduced and read first time: February 24, 2003

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Juvenile Causes - Facilities Used for Detention - Accommodation of**
3 **Children Awaiting Placement After Disposition**

4 FOR the purpose of prohibiting a child from being accommodated in a facility used for
5 detention for more than a certain period of time after the court has made a
6 disposition on a certain petition except under certain circumstances; authorizing
7 the court to order that a child be accommodated in a facility used for detention
8 for a specified period of time under certain circumstances; authorizing the court
9 to extend the period of time for which a certain child may be accommodated in a
10 facility used for detention; requiring the Department of Juvenile Justice to make
11 a certain report; and generally relating to the accommodation of a child in a
12 facility used for detention after disposition.

13 BY repealing and reenacting, without amendments,
14 Article - Courts and Judicial Proceedings
15 Section 3-8A-01(m)
16 Annotated Code of Maryland
17 (2002 Replacement Volume)

18 BY adding to
19 Article - Courts and Judicial Proceedings
20 Section 3-8A-15(k)
21 Annotated Code of Maryland
22 (2002 Replacement Volume)

23 BY repealing and reenacting, with amendments,
24 Article - Courts and Judicial Proceedings
25 Section 3-8A-19(d)
26 Annotated Code of Maryland
27 (2002 Replacement Volume)

28 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
29 MARYLAND, That the Laws of Maryland read as follows:

1 (2) In addition to the provisions of paragraph (1) of this subsection, in
2 making a disposition on a petition, the court may adopt a treatment service plan, as
3 defined in § 3-8A-20.1 of this subtitle.

4 (3) A child committed under paragraph (1)(ii) of this subsection may not:

5 (I) [be] BE accommodated in a facility that has reached budgeted
6 capacity if a bed is available in another comparable facility in the State, unless the
7 placement to the facility that has reached budgeted capacity has been recommended
8 by the Department of Juvenile Justice; OR

9 (II) EXCEPT AS PROVIDED IN § 3-8A-15(K) OF THIS SUBTITLE, BE
10 ACCOMMODATED IN A FACILITY USED FOR DETENTION.

11 (4) The court shall consider any oral address made in accordance with §
12 11-403 of the Criminal Procedure Article or any victim impact statement, as
13 described in § 11-402 of the Criminal Procedure Article, in determining an
14 appropriate disposition on a petition.

15 SECTION 2. AND BE IT FURTHER ENACTED, That the Department of
16 Juvenile Justice shall report to the General Assembly on or before July 1, 2004, in
17 accordance with § 2-1246 of the State Government Article, on the implementation of
18 this Act.

19 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2003.